

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of FORSSMANN, et al.

371 No. PCT/EP98/08405, Filed 22 December 1998

U.S. Ser. No. 09/582,107

Filed June 22, 2000

For: Insulin like Growth Factor Binding Protein Fragments and the Utilization Thereof

DECLARATION UNDER 37 CFR 1.47

Assistant Commissioner
of Patents
Washington, D.C. 20231

Sir:

The undersigned does hereby declare and state that.

1. He works for Haemopep Pharma GmbH of Hanover, Germany, and is the author of the letter addressed to Dr. Hossein Mostafavi, dated 13 June 2000, attached hereto as Exhibit A.

2. He made a bona fide attempt to present U.S. national stage filing papers, including Declaration and Power of Attorney, identifying the instant application by its PCT application number and filing date, by sending said filing papers via registered mail, to co-inventor Hossein Mostafavi at his last known address, accompanied by a letter of instruction (Exhibit A), which letter and papers were returned by the German Post in their original envelope of mailing, marked addressee unknown (a copy of the returned envelope, carrying the registered mail indicia and return stamp of the German Post, is attached hereto as Exhibit B).

6. The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application of any patent issuing thereof.

Further declarant sayeth naught.

January 11, 2001
Date



Prof. Dr. K.-D. Döhler

EXHIBIT A

haemo pep Pharma GmbH, Feodor-Lynen-Str. 5, D-30625 Hannover

Herrn
Dr. Hossein Mostafavi
Fraunhoferstr. 8

30163 Hannover

Hannover, 13.06.2000
Dö/Fu

Einschreiben/Rückschein

**Internationale Patentanmeldung PCT/EP 98/08405
"Insulin-like Growth Factor Binding Protein Fragmente und seine Verwendung"**

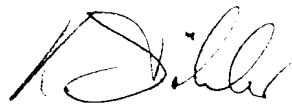
Sehr geehrter Herr Doktor Mostafavi,

als Anlage übersenden wir Ihnen ein Schreiben unserer Patentanwälte vom 07.06.2000 mit Original-Formularen die die nationalen Phasen der obigen Anmeldung.

Wir bitten Sie um Unterzeichnung der beiden Formulare in Anwesenheit von zwei Zeugen, die auch bitte unterzeichnen.

Wir bitten Sie, die unterzeichneten Dokumente so schnell wie möglich an uns zurück zu senden.

Mit freundlichen Grüßen


Prof. Dr. K.-D. Döhler

Anlagen:
Kopie des Schreibens der Patentanwälte vom 07.06.2000
Canada-Assignment
Vollmacht
US-Assignment

TRANSLATION OF A LETTER DATED JUNE 13, 2000
FROM HAEMOPEP PHARMA GMBH

Dr. Hossein Mostafavi
Fraunhoferstr. 8
30163 Hannover

REGISTERED/RECEIPT

International Patent Application PCT/EP 98/08405
Insulin-like Growth Factor Binding Protein Fragments and its application.

Dear Doctor Mostafavi,

We are enclosing herewith a letter by our patent attorneys, dated June 7, 2000, together with original forms for the national phase of the above-identified application.

We ask you to sign both forms in the presence of two witnesses, who also should sign.

We ask you to return the signed documents to us as soon as possible.

With best regards,

/s/

Prof. Dr. K-D. Dohler

Enclosures:

Copy of of the patent attorneys' letter, dated June 7, 2000
Canada-Assignment
Power of Attorney
US Assignment

Elizabeth Teleki Jilly states that she is familiar with the German and English languages and that she prepared a translation of a **letter from Dr. K-D Dohler to Dr. Hossein Mostafavi**, dated June 13, 2000, and that said translation is, to the best of her knowledge and belief, accurate and fairly reflects the contents of said document.

January 11, 2001

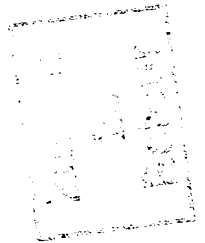
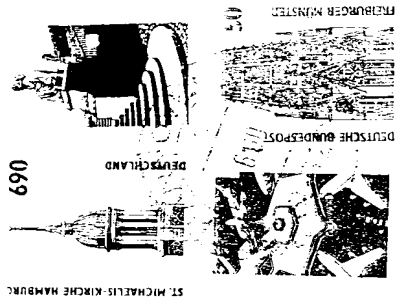
Elizabeth Teleki Jilly


R:\EJILLY\1993\verified

EXHIBIT B

04 7862 7966 3DE Deutsche Post 

<input type="checkbox"/> Einwurf Einschreiben	<input checked="" type="checkbox"/> Übergabe Einschreiben (Recommandé)	<input type="checkbox"/> Eigenhändig (A la main) (main propre)
GK 912-588-000	<input type="checkbox"/> Nachnahme (Remboursé)	<input checked="" type="checkbox"/> Rückschein (Avis de réception)



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Translation of German Post Indicia on the Attached Envelope Carrying Registered
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